IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1991 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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BHARTIBEN DAMRESAKUMAR PATEL

Versus

UNION OF INDIA

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Appearance:

MR TARESH J BHATTJI for the Petitioner.

MR DN PATEL for the Respondent.

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CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 12/03/2003

ORAL JUDGEMENT

This is a petition for a direction to the respondent authority to make correction in the passport already issued to the petitioner regarding date of birth

of the petitioner as 25th August, 1961 in place of 8th June, 1961.

2. Heard the learned counsel for the parties. The petitioner has moved an application for correction of the date of birth as 25th August, 1961 in place of 8th June, 1961 on the birth certificate issued by the competent authority which has been rejected by the respondent authority on the ground that they have no authority to correct the same unless an order to that effect is issued by the competent court of law.

3. In the facts and circumstances, this petition is being disposed of finally with a direction to the petitioner to file a fresh representation/application before the authority concerned within two weeks from today with all material and evidence in support thereof for correction of date of birth. In case such a representation/application is filed by the petitioner within stipulated time, the respondent authority will decide the same on the basis of the material on record and in accordance with law within a period of one month from the date of presentation of the certified copy of this judgment. The respondent authority will be at liberty to impose appropriate costs for these proceedings. Rule made absolute accordingly with no order as to costs. Direct service permitted.

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